

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Andre Hickson,
Plaintiffs

vs

United Parcel Service,
Defendant

Case No. C-1-04-411
(Spiegel, J.)
(Hogan, M.J.)

ORDER

This matter is before the Court on Plaintiff's Motion to Compel With Regard to Discovery Responses (Doc. 39) and Defendant's Response to Plaintiff's Motion to Compel (Doc 41).

Plaintiff seeks an order directing Defendant to respond to Plaintiff's First and Second Sets of Interrogatories and Requests for Production of Documents. While Plaintiff states that all responses have not been provided by Defendant, Plaintiff fails to identify which discovery requests remain unanswered. Defendant represents that, pursuant to a telephone call with Plaintiff regarding the present motion, it appears that Plaintiff's motion is based upon the alleged incomplete responses to Requests for Production of Documents No. 2. Plaintiff apparently made a verbal request for additional payroll information which was not formally requested in his previous discovery requests. Specifically, Plaintiff seeks payroll information for Andre Hickson, Randy Clark, Kevin Brown and Jason Smith. Defendant contends that this information was provided to Plaintiff on or about August 15, 2005 and again on October 26, 2005 in response to the present motion.

It appears that Defendants have complied with Plaintiff's discovery requests and that Plaintiff's Motion to Compel is, therefore, moot. Accordingly, Plaintiff Motion to Compel (Doc. 39) is DENIED as moot.

SO ORDERED.

Date: 5/18/2006

s/Timothy S. Hogan
Timothy S. Hogan
United States Magistrate Judge